

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kimball Area Public Schools,
Independent School District No. 739,

Civil No. 23-2637 (NEB/LIB)

Plaintiff and Counter Defendant,

**STIPULATION TO AMEND THE
AMENDED PRETRIAL
SCHEDULING ORDER**

v.

I.R.M. by and through his parent, L.M.,

Defendants and Counter Claimants.

This stipulation is made and entered into on the date set forth below by and between the undersigned parties.

WHEREAS, on December 15, 2023, the Court issued a Pretrial Scheduling Order (Doc. 16), which stated that both Plaintiff/Counter Defendant's and Defendants/Counter Plaintiffs' expert witness disclosures must be made on or before July 15, 2024;

WHEREAS, on July 25, 2024, the Court issued an Amended Pretrial Scheduling Order (Doc. 47), which stated that both Plaintiff/Counterclaim Defendant's and Defendants/ Counter Plaintiffs' expert witness disclosures must be made on or before September 15, 2024;

WHEREAS, Defendants/Counter Plaintiffs L.M. and I.R.M placed their physical and mental health conditions at issue in their counterclaims;

WHEREAS, on July 26, 2024, Plaintiff/Counter Defendant provided counsel for Defendants/ Counter Plaintiffs medical releases for Defendants/ Counter Plaintiffs to sign and return to counsel for Plaintiff/Counter Defendant;

WHEREAS, on August 13, 2024, counsel for Defendants/ Counter Plaintiffs returned signed copies of the medical releases to counsel for Plaintiff/Counter Defendant.

WHEREAS, on August 16, 2024, counsel for Plaintiff/Counter Defendant mailed all signed releases to each respective medical care provider;

WHEREAS, to date, Plaintiff/ Counter Defendant has only received medical records from one of Defendant/Counter Plaintiff L.M.'s medical providers and medical records from three of Defendant/Counter Plaintiff I.R.M.'s medical providers;

WHEREAS, Plaintiff/Counter Defendant intends to provide expert testimony regarding the physical and mental conditions Defendants/Counter Plaintiffs have placed at issue;

WHEREAS, Plaintiff/Counter Defendant has not been able to retain an expert witness to review Defendants/Counter Plaintiffs' medical records because, through no fault of either party, Plaintiff/Counter Defendant has not received all medical records for Defendants/Counter Plaintiffs;

WHEREAS, the parties agree that an extension to the expert witness disclosure deadline is reasonable and necessary to allow the parties to engage in adequate discovery of the claims at issue in this case;

WHEREAS, good cause exists to amend the Amended Pretrial Scheduling Order (Doc. 47) to extend the expert witness disclosures deadline;

WHEREAS, the parties agree to extend the deadline for initial expert witness disclosures to October 31, 2024, the deadline for rebuttal expert witness disclosures to November 29, 2024, and the deadline to conclude expert discovery to December 31, 2024; and

WHEREAS, to accommodate extending the initial expert witness and rebuttal expert witness disclosure deadlines, the parties agree to extend the following deadlines as follows:

Non-dispositive motion deadline: January 31, 2025

Mandatory settlement conference for some time in March 2025

Dispositive motion deadline: February 28, 2025

Ready for trial date: June 27, 2025

NOW, THEREFORE, the undersigned hereby agree to this Court's amendment of the Amended Pretrial Scheduling Order (Doc. 47) to extend the September 15, 2024 initial expert witness disclosures, October 15, 2024 rebuttal expert witness disclosures deadlines, and other scheduling deadlines as designated, herein.

IN WITNESS WHEREOF, the undersigned have made and entered into this stipulation as of the date set forth below.

[Signature Page Follows]

KANE EDUCATION LAW, LLC

DATE: September 13, 2024

s/ Margaret O'Sullivan Kane
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**ATTORNEYS FOR DEFENDANTS/
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L.R.M.**

**SQUIRES, WALDSPURGER &
MACE, P.A.**

DATE: September 13, 2024

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